

## **Exhibit A**

**WILLIAM M. LANDES**

**NOVEMBER 2006**

Clifton R. Musser Professor of Law & Economics  
The University of Chicago

***ADDRESS***

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***EDUCATION***

Ph.D., COLUMBIA UNIVERSITY: Economics, 1966

B.A., COLUMBIA UNIVERSITY: 1960

***ACADEMIC EMPLOYMENT***

THE UNIVERSITY OF CHICAGO, The Law School: Clifton R. Musser Professor of Law & Economics (7/92-present); Clifton R. Musser Professor of Economics (7/80-7/92); Professor of Economics (1/74-6/80).

FORDHAM UNIVERSITY, School of Law: 19967 Bacon-Kilkenny Chair of Law for a Distinguished Visiting Professor, 8/96-12/96.

NATIONAL BUREAU OF ECONOMIC RESEARCH, INC.: Research Staff (1973-1979); Research Associate (1969-1973); Research Fellow (1968-1969); Research Assistant (1962 - 1963).

CITY UNIVERSITY OF NEW YORK, Graduate Center (1972 - 1974): Associate Professor of Economics.

COLUMBIA UNIVERSITY (1969 - 1972): Associate Professor of Economics.

THE UNIVERSITY OF CHICAGO (1966 - 1969): Assistant Professor of Economics.

STANFORD UNIVERSITY (1965 - 1966): Assistant Professor of Economics

- 2 -

### ***AREAS OF SPECIALIZATION***

Economic Analysis of Law  
Intellectual Property  
Art Law  
Industrial Organization  
Antitrust

### ***ACADEMIC HONORS AND FELLOWSHIPS***

President's Fellowship, Columbia University, 1962-1963.  
Ford Foundation Doctoral Dissertation Fellowship, 1963-1964.  
I.B.M. Watson Fellowship, 1964-1965.  
Ansley Award Nomination, Economics Department, Columbia University, 1956.

### ***PROFESSIONAL AFFILIATIONS***

Member, American Economic Association  
Editorial Board, *Journal of Cultural Economics*, 2003-  
Editor, *The Journal of Law and Economics*, 1975-1991,  
*The Journal of Legal Studies*, 1991-2000  
Member, Panel on Legislative Impact on the Courts, National  
Academy of Sciences, 1977-1979  
Member, Mont Pelerin Society  
Research Advisory Committee, U.S. Sentencing Commission, 1986-88  
Adviser, Restatement of the Law, Third, Unfair Competition  
Council of Economic Advisers, American Enterprise Institute  
Board of Editors, Intellectual Property Fraud Reporter  
Member, Scientific Committee of A Bibliography of Law and Economics with abstracts of  
the European, non-English literature, Ruksuniversiteit-Gent, Belgium, 1990  
Member, Committee of Patronage of the Erasmus Project in Law and Economics,  
Ruksuniversiteit-Gent, Belgium, 1990  
Member, Academic Advisory Council, The Locke Institute, 1990-  
Member, American Law and Economics Association,  
Executive Vice President, 1991 - 1992  
President, 1992 - 1993  
Advisory Board, Law and Economics Abstracts, 1996 -

### ***PUBLICATIONS***

#### ***BOOKS AND MONOGRAPHS***

Essays in the Economics of Crime and Punishment, edited with Gary S. Becker, National  
Bureau of Economic Research (1974).

The Economic Structure of Tort Law, co-authored with Richard A. Posner, Harvard Univ.  
Press (1987).

The Economic Structure of Intellectual Property Law, co-authored with Richard A. Posner, Harvard Univ. Press (2003).

**RESEARCH PAPERS**

"The Effect of State Fair Employment Law on the Economic Position of Non-Whites," Papers and Proceedings of the *American Economic Review*, Vol. LV III (May 1967).

"The Economics of Fair Employment Laws," 76(4) *Journal of Political Economy* (July/August 1968).

"Roundtable on the Allocation of Resources to Law Enforcement," Papers and Proceedings of the *American Economic Review*, Vol. LIX (May 1969).

"An Economic Analysis of the Courts," 14 *Journal of Law and Economics* (April 1971). Reprinted in Becker and Landes, Essays in the Economics of Crime and Punishment (1974).

"Law and Economics," National Bureau of Economic Research--51st Annual Report (September 1971).

"Compulsory Schooling Legislation: An Economic Analysis of Law and Social Change in the Nineteenth Century," *Journal of Economic History* (March 1972), co-authored with Lewis Solomon.

"The Bail System: An Economic Approach," *Journal of Legal Studies* (January 1973). Reprinted in Becker and Landes, Essays in the Economics of Crime and Punishment (1974).

"Foreign Criminal Procedure: A Comment," The Economics of Crime and Punishment, conference volume of the American Enterprise Institute for Public Policy Research (1973).

"Legality and Reality: Some Evidence on Criminal Procedure," *Journal of Legal Studies* (June 1974).

"The Private Enforcement of Law," *Journal of Legal Studies* (January 1975), co-authored with Richard A. Posner.

"The Independent Judiciary in an Interest Group Perspective," (Universities-National Bureau Conference on Economic Analysis of Political Behavior) *Journal of Law and Economics* (December 1976), co-authored with Richard A. Posner.

"Legal Precedent: A Theoretical and Empirical Analysis," *Journal of Law and Economics* (September 1976), co-authored with Richard A. Posner.

"Salvors, Finders, Good Samaritans, and Other Rescuers: An Economic Study of Law and Altruism," *Journal of Legal Studies* (January 1978), co-authored with Richard A. Posner.

- 4 -

"Should We Tax Virgin Materials to Finance Waste Disposal?" Waste Age (March 1978), co-authored with Richard A. Posner.

"An Economic Study of U.S. Aircraft Hijacking, 1961-1976," *Journal of Law and Economics* (April 1978).

"Altruism in Law and Economics," Papers and Proceedings of the *American Economic Review* (May 1978), co-authored with Richard A. Posner.

"Adjudication as a Private Good," *Journal of Legal Studies* (March 1979), co-authored with Richard A. Posner.

"Should Indirect Purchasers Have Standing to Sue Under the Antitrust Laws?" An Economics Analysis of the Rule of Illinois Brick," *University of Chicago Law Review* (Spring 1979), co-authored with Richard A. Posner.

"Benefits and Costs of Airline Mergers: A Case Study," *The Bell Journal of Economics* (Spring, 1980), co-authored with Dennis W. Carlton and Richard A. Posner.

"Legal Change, Judicial Behavior and the Diversity Jurisdiction," *Journal of Legal Studies* (March 1980), co-authored with Richard A. Posner.

"Joint and Multiple Tortfeasors: An Economic Analysis," *Journal of Legal Studies* (June 1980), co-authored with Richard A. Posner.

"The Economics of Passing On: A Reply to Harris and Sullivan," *University of Pennsylvania Law Review* (May 1980), co-authored with Richard A. Posner.

"Contribution Among Antitrust Defendants: A Legal and Economic Analysis," *Journal of Law and Economics* (October 1980), co-authored with Frank H. Easterbrook and Richard A. Posner.

"An Introduction to the Economics of Antitrust," an appendix in Richard A. Posner and Frank H. Easterbrook, Antitrust: Cases, Economic Notes and Other Materials (West, 2d ed. 1980).

"Market Power in Antitrust Cases," *Harvard Law Review* (March 1981), co-authored with Richard A. Posner.

"The Positive Economic Theory of Tort Law," *Georgia Law Review* (Summer 1981) co-authored with Richard A. Posner.

"An Economic Theory of Intentional Torts," *International Review of Law and Economics* (December 1981) co-authored with Richard A. Posner.

"Causation in Tort Law: An Economic Approach," *Journal of Legal Studies* (January 1983) co-authored with Richard A. Posner.

- 5 -

"Optimal Sanctions for Antitrust Violations," *University of Chicago Law Review* (Spring 1983). Reprinted in 26 *The Journal of Reprints for Antitrust Law and Economics*, 79 (1996).

"Harm to Competition: Cartels, Mergers and Joint Ventures," 52 *Antitrust Law Journal* Vol. 3. Reprinted in Antitrust Policy in Transition: The Convergence of Law and Economics (E. Fox and J. Halverson, eds.), American Bar Assn. (1984).

"Tort Law as a Regulatory Regime for Catastrophic Personal Injuries," *Journal of Legal Studies* (August 1984) co-authored with Richard A. Posner.

"A Positive Economic Analysis of Products Liability," *Journal of Legal Studies* (December 1985) co-authored with Richard A. Posner.

"New Light on Punitive Damages" Regulation, (Sept./Oct. 1986), co-authored with Richard A. Posner.

"Trademark Law: An Economic Perspective," *Journal of Law and Economics* (October 1987), co-authored with Richard A. Posner. Reprinted in the *Intellectual Property Review* (1988).

"The Economics of Trademark Law," Trademark Reporter, (May/June 1988), co-authored with Richard A. Posner.

Review of "The Firm, The Market and The Law" by Ronald Coase," University of Chicago Law School Record, (Fall 1988).

"An Economic Analysis of Copyright Law," *Journal of Legal Studies*, (June 1989), co-authored with Richard A. Posner.

"Insolvency and Joint Torts: A Comment," *Journal of Legal Studies* (June 1990).

"Some Economics of Trade Secret Law," *Journal of Economic Perspectives*, (Winter, 1991) co-authored with David Friedman and Richard A. Posner.

"Copyright Protection of Letters, Diaries and Other Unpublished Works: An Economic Approach," *Journal of Legal Studies* (January 1992).

"Sequential and Unitary Trials: An Economic Approach," *Journal of Legal Studies* (January, 1993).

"The Influence of Economics on Law: A Quantitative Study," *Journal of Law and Economics* (April 1993) co-authored with Richard A. Posner.

"The Economics of Anticipatory Adjudication," *Journal of Legal Studies* (June 1994) co-authored with Richard A. Posner.

"Counterclaims: An Economic Analysis," *International Review of Law & Economics* (Sept. 1994).

- 6 -

"Heavily Cited Articles in Law," 7 *Kent Law Review* No. 3 (1996) co-authored with Richard A. Posner.

"The Economics of Legal Disputes Over The Ownership of Works of Art and Other Collectibles," in *Essays in the Economics of the Arts* (ed. by V. A. Ginsburgh & P.-M. Menger) (Elsevier Science, 1996) co-authored with Richard A. Posner.

"The Art of Law and Economics: An Autobiographical Essay," 41 *The American Economist*, No. 1 (Spring 1997), reprinted in "Passion and Craft, Economists at Work," Michael Szenberg, ed. (Ann Arbor: Michigan University Press, 1999)

"Judicial Influence: A Citation Analysis of Federal Courts of Appeals Judges," *Journal of Legal Studies* (June 1998) co-authored with Lawrence Lessig and Michael Solimine.

"Sequential and Bifurcated Trials" entry in *The New Palgrave Dictionary of Economics and the Law* (1998).

"Gary S. Becker Biography" entry in *The New Palgrave Dictionary of Economics and the Law* (1998).

"Citations, Age, Fame and the Web," *Journal of Legal Studies* (January 2000) co-authored with Richard A. Posner.

"Introduction to Interpreting Legal Citations," *Journal of Legal Studies* (January 2000).

"Winning the Art Lottery: The Economic Returns to the Ganz Collection," *Recherches Economiques de Louvain, Louvain Economic Review* (Vol. 66(2) 2000).

"Harmless Error," *Journal of Legal Studies* (January 2001) co-authored with Richard A. Posner.

"Copyright, Borrowed Images and Appropriation Art: An Economic Approach," *George Mason Law Review* (Fall 2000).

"The Social Market for the Great Masters and Other Collectibles" with Gary S. Becker and Kevin M. Murphy in *Social Economics: Market Behavior in a Social Environment* Harvard Univ. Press (2000).

"What Has the Visual Artist's Rights Act of 1990 Accomplished?" *Journal of Cultural Economics* (November 2001).

"Copyright" in *A Handbook of Cultural Economics* ed by Ruth Towse (Edward Elgar 2003).

"Indefinitely Renewable Copyright" in *University of Chicago Law Review* (Spring 2003) co-authored with Richard A. Posner.

"The Empirical Side of Law and Economics," *University of Chicago Law Review* (Winter 2003).



- 7 -

"Indirect Liability for Copyright Infringement: Napster and Beyond" in *Journal of Econ. Perspectives* (Spring 2003) co-authored with Douglas Lichtman.

"Acts of Terror with Guns: Multiple Shooting Victim Shootings," in *The Bias Against Guns*, John Lott, ed. (Regnery 2003) co-authored with John Lott.

"Indirect Liability for Copyright Infringement: An Economic Perspective," *Harvard Journal of Law & Technology* (Spring 2003) co-authored with Douglas Lichtman.

"The Test of Time: Does 20<sup>th</sup> Century American Art Survive?" in Contributions to Economic Analysis: The Economics of Art and Culture ed. by Victor Ginsburgh (Elsevier Science, 2004).

"An Empirical Analysis of the Patent Court," *University of Chicago Law Review* (Winter 2004) co-authored with Richard A. Posner.

The Political Economy of Intellectual Property Law, American Enterprise Institute-Brookings Joint Center for Regulatory Studies (2004) with Richard A. Posner.

"The Economic Analysis of Art Law" in Handbook of the Economics of Art and Culture, Vol. 1, ed. by Victor A. Ginsburgh and David Throsby (Elsevier B.V. 2006) coauthored with Daniel B. Levine.

"The Economics of Presidential Pardons and Commutations (November 2006, unpublished) co-authored with Richard A. Posner.

#### **TESTIMONIAL EXPERIENCE IN PAST FOUR YEARS**

Trial testimony of William M. Landes in *Blue Cross and Blue Shield Association v. American Express Company*, U.S. District Court Northern District of Illinois Eastern Division, No. 99 C 6679 (August 26, 2005).

Expert Report of William M. Landes in *Blue Cross and Blue Shield Association v. American Express Company*, U.S. District Court for the Northern District of Illinois, Eastern Division, No. 99 C 6679 (March 21, 2005).

Deposition of William M. Landes in *Cellco Partnership d/b/a Verizon Wireless v. Nextel Communications Inc.*, U.S. District Court District of Delaware, Civ. 03-725-KAJ (August 18, 2004) (Confidential)

Expert Report of William M. Landes in *Cellco Partnership d/b/a Verizon Wireless v. Nextel Communications Inc.*, June 15, 2004

Expert Report of William M. Landes in *Six West Retail Acquisition, Inc., v. Sony Theatre Management Corporation, et al.*, United States District Court Southern District of New York, 97 Civ. 5499 (LAP) (JCF) (February 6, 2003) (Confidential)



- 8 -

***TESTIMONIAL EXPERIENCE AND OTHER CONSULTING  
ENGAGEMENTS IN THE YEARS 1978-1999***

Statement of William M. Landes and Richard A. Posner, on Behalf of the National Soft Drink Association, Before the Resource Conservation Committee, concerning Beverage Deposit Container Legislation (October 19, 1977).

Summary of Landes-Posner Statement to the Resource Conservation Committee (October 19, 1977).

Comments on RCC Staff Background Paper No. 2: William M. Landes and Richard A. Posner (October 24, 1977).

Statement of William M. Landes and Richard A. Posner, submitted to the Resource Conservation Committee, concerning Solid Waste Product Charge Legislation (November 17, 1977).

Statement before the Interstate Commerce Commission, "Nationwide Increased Freight Rates and Charges--1977," co-authored with David F. Bradford and Richard A. Posner (January 10, 1978).

Exhibit before the Postal Rate Commission, "Economic Analysis of Express Mail's Anticompetitive Characteristics," co-authored with Richard A. Posner (March 7, 1978).

Joint Testimony of William M. Landes, Dennis W. Carlton and Richard A. Posner in Re: Competitive Effects of the Proposed North Central-Southern Airline Merger. Proceedings before the Civil Aeronautics Board, Docket No. 33136, Exhibit NC/SO-T-7 (October 13, 1978).

Statements of William M. Landes and Richard A. Posner before the Committee on the Judiciary United States Senate, Antitrust Enforcement Act of 1979, S.300 (February, March 1979).

Affidavit of William M. Landes in Re: MCI Communications Corp. et al. v. American Telephone and Telegraph Company, et al. (November 2, 1979).

Deposition of William M. Landes in Re: AT&T v. MCI (March 1980).

Deposition of William M. Landes in Re: Litton Systems, Inc., et al. v. American Tel and Tel. Co., et al. (June 9-10, 1980).

Affidavit of William M. Landes in Re: Litton Systems, Inc., et al. v. American Tel and Tel. Co., et al. (June 9, 1980).

Testimony and Exhibit before the Copyright Royalty Tribunal, "An Economic Analysis of the Contribution of Sports Programming to the Cable Copyright Royalty Fund," co-authored with Elisabeth M. Landes, H. Neal Lenhoff, and Robert S. Stillman (June 15, 1981).

Affidavit of William M. Landes in Re: Arlie Glen Skelton, et al. v. General Motors Corp. (June 1, 1981).

Verified Statement of William M. Landes (with John P. Gould and Robert S. Stillman) in Re: Railroad Exemption-Export Coal before the Interstate Commerce Commission, Ex Parte No. 346 (Sub-No. 7) (October 4, 1981).

- 9 -

Expert Report and Testimony in Re: Buffalo Broadcast Company, Inc., et al., v. American Society of Composers, Authors and Publishers, et al., and Broadcast Music, Inc., et al., and Broadcast Music, Inc., et al. (December 1981).

Affidavit of William M. Landes on behalf of ASCAP in Re: Buffalo Broadcasting Co. et al. v. American Society of Composers (November 10, 1981).

Affidavit of William M. Landes in Re: Grumman Corporation v. The LTV Corporation, CKH Corporation, Jones & Laughlin Industries, Inc., and Vought Corporation, Parte No. 346 (Sub-No. 7) (February 24, 1982).

Affidavit of William M. Landes in Re: Sentiment Shops, Inc., et al., v. Hallmark Cards Incorporated (March 3, 1982).

Expert Report and Testimony in Re: The Board of Regents of University of Oklahoma, et al. v. National Collegiate Athletic Association et al. (June 1982).

Expert Report in Re: Ralph C. Wilson Industries, Inc., v. Chronicle Broadcasting Company, et al. (October 15, 1982).

Deposition in Re: Ralph C. Wilson Industries, Inc., v. Chronicle Broadcasting Company, et al. (October 29, 1982).

Testimony in Re: Midwest Communications, Inc. v. Minnesota Twins, Inc., et al. (August 10 & 11, 1983).

Deposition in Re: A.J. Canfield Co. v. The Coca-Cola Company, et al. (September 1983).

Affidavit of William M. Landes and William J. Lynk in Re: United States of America v. Beverly Enterprises, et al. (February 1984).

Affidavit of William M. Landes in Re: Federal Trade Commission v. Warner Communications Inc., et al., U.S.D.C., C.D. Cal. No. 84-1506 (R) (March 1984).

Declaration of William M. Landes in Re: Federal Trade Commission v. Warner Communications Inc., et al., (March 16, 1984).

Affidavit of William M. Landes and Dennis W. Carlton in Re: United States of America v. Western Electric, et al. (December 19, 1984).

Testimony in Re: Industrial Investment Development Corporation, et al. v. Mitsui & Co., Ltd, et al. (October 1984).

Affidavit of William M. Landes and Andrew M. Rosenfield in Re: United States of America v. Western Electric, et al. (January 26, 1985).

Statement of William M. Landes (with Dennis W. Carlton, Christopher C. DeMuth and Andrew M. Rosenfield) in Response to the National Telecommunications Information Administration (NTIA) Request for Comments in Connection with the Comprehensive Study of the Structure and Regulation of the U.S. Telecommunications Industry (March 29, 1985).

- 10 -

Expert Report and Testimony in Re: Joint Application of Pan American World Airways, Inc. and United Airlines, Inc., Before the United States Department of Transportation (August, 1985).

Deposition of William M. Landes in Re: Seagood Trading Corp. v. Jerrico, Inc., et al. (December 1985).

Affidavit of William M. Landes in Re: The Investigation of Aura Promotion, Ltd. (September 14, 1987).

Affidavit of William M. Landes in Re: GLI Acquisition Company et al. -- Purchase -- Trailways Lines, Inc., et al., Proceedings before the Interstate Commerce Commission, Docket No. MC-F 18505 (October 6, 1987).

Declaration of William M. Landes in Re: Federal Trade Commission v. Pacific Resources, Inc. and Shell Oil Company, (October 30, 1987).

Deposition of William M. Landes in Re: FTC v. Pacific Resources, et al. (November 1987).

Testimony in Re: Hybritech Incorporated v. Abbott Laboratories (March 10-11, 1988).

Affidavit of William M. Landes in Re: United States of America v. Loew's Incorporated, et al., (January 1988 and May 1988).

Testimony in Re: Alpo Petfoods, Inc. v. Ralston Purina Company (September 19, 1988).

Deposition of William M. Landes in Re: Florida Fuels, Inc. v. Belcher Oil Company (December 8-9, 1988).

Deposition of William M. Landes in Re: The Dow Chemical Company v. American Cyanamid Company (March 1989).

Affidavit of William M. Landes in Re: Charles R. Christiansan and International Trade Services, Inc. v. Colt Industries and International Trade Services, Inc. v. Colt Industries (September 13, 1989).

Deposition of William M. Landes in Re: The Times Herald Printing Company v. A. H. Belo Corporation, Universal Press Syndicate, Inc., and Dallas Morning News Company (March 13-14, 1990).

Testimony of William M. Landes in Re: The Times Herald Printing Company v. A. H. Belo Corporation, Universal Press Syndicate, Inc., and Dallas Morning News Company (April 25, 1990).

Affidavit of William M. Landes in Re: Florida Fuels, Inc. v. Belcher Oil Company (March 19, 1991).

Affidavit of William M. Landes in Re: Buffalo Broadcasting v. American Society of Composers (March 19, 1991).

- 11 -

Testimony of William M. Landes in Re: National Cable Television Association, Inc., et al. v. Broadcast Music, Inc., Black Entertainment Television, Inc. v. Broadcast Music, Inc., Docket No. CA 90-0262 (April 15, 1991).

Deposition of William M. Landes in Re: Baxter International, Inc. v. Abbott Laboratories (July 22, 1991).

Deposition of William M. Landes in Re: National Football League Players Association v. National Football League Properties, Inc., National Football League and National Football League Management Council, Civil Action No. 90-4244 (July 9 & 10, 1992).

Declaration of William M. Landes in Re: National Basketball Association, et al., v. Charles L. Williams, et al., and Dominique Wilkins, et al., v. National Basketball Association, et al. (July 7, 1994).

Report of William M. Landes on Trademark Damages in Re: Hugo Boss v. Brookhurst, et al., (June 9, 1995).

Deposition of William M. Landes in Re: Carbon Dioxide Industry Antitrust Litigation, No. 92-MD-940-CIV-ORL-3L23, July 27, 1995.

Affidavit of William M. Landes in Re: Carbon Dioxide Industry Antitrust Litigation, No. 92-MD-940-CIV-ORL-3L23 (December 13, 1995).

Rebuttal Affidavit of William M. Landes in Re: The Zapruder Film Arbitration, February 11, 1999.

Declaration of William M. Landes in Re: Vitamin Antitrust Litigation, in the United States District Court for the District of Columbia, M.D.L. No. 1285, Misc. No. 99-0197 (TFH), November 11, 1999

Affidavit of William M. Landes in Re: The City of New York, The New York City Housing Authority, and The New York City Health and Hospitals Corporation v. Lead Industries Association, Inc., et al. Index No. 14365/89, IAS Part 39, before the Supreme Court of the State of New York, County of New York, April 3, 1999.